

It is legislation that promotes self-sufficiency, Productivity and community integration for those who suffer from developmental disabilities.

This program provides basic state funding for local developmental disability councils.

It provides state grants for advocacy and protection.

It funds university affiliated programs and programs of national significance, all of which are vital to the services needed for the disabled.

This legislation will bring over \$6 million each year to provide these programs to needy New Yorkers.

Mr. Speaker, The over 2 million New Yorkers who suffer from disabilities are no different from the rest of us.

They have ambitions, goals and desires, just like you or me.

They are people like Fred Klemm, from Hauppauge, Long Island, in my district, who has a wife and 2 children.

He was a dietary assistant looking forward to going back to school when disaster struck.

Fred was found in the Atlantic Ocean at Smith Point County Park, LI, after an accident on his jet ski.

After 4½ months in the hospital, Fred was transported to a rehab center to begin his recovery.

Fred now lives in an assisted-living apartment and is being helped to re-learn skills he will need to one day be able to live independently.

Mr. Speaker, Fred's rehabilitation is being conducted by the Long Island Head Injury Association (LIHA).

LIHA is a independent, not-for-profit group that receives Disability Act funding through one of the four programs re-authorized by the Act—the basic state grants for developmental disability councils. And, since 1963, Mr. Speaker, The Developmental Disabilities Assistance Act has helped America's most vulnerable citizens to attain the productivity that benefits both them and us.

And, it does so in a way that is consistent with principles of responsibility and restraint that are at the core of our world view.

This bill provides flexibility for States to fashion programs that respond to local problems.

It is pro-family. By supporting the ability of families to rear and nurture their developmentally disabled children in the home.

It is fiscally responsible. Because most activities are implemented at the State level, with only an extremely small Federal agency to provide general oversight of the program.

It promotes accountability for measurable results in programs serving the disabled.

Mr. Speaker, we more fortunate Americans will be judged on how we care for the less fortunate among us.

Let's offer a hand up to some of those who need it the most. Let's authorize this program, let's pass this bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to

revise and extend their remarks on S. 1809, and to include extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### CORRECTING ENROLLMENT OF S. 1809, DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 1999

Mr. LAZIO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 133) to correct the enrollment of S. 1809, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HOYER. Mr. Speaker, reserving the right to object, I will not object, but I yield to the gentleman from New York (Mr. LAZIO) so he might explain the unanimous consent request.

Mr. LAZIO. Mr. Speaker, I want to thank the gentleman from Maryland for his leadership on this particular bill, as he is a leader on many bills of interest to Americans who are concerned about empowering those among us who are disabled.

This takes up, which we just passed, actually, S. 1809, which is the Senate-passed Developmental Disabilities Act reauthorization, with a correcting enrollment, which we are doing right now.

It maintains the language that the gentleman and I have worked through in the House-passed version, basic reauthorization.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I thank the gentleman for his explanation, and I thank him for his work on this. I certainly want to say to our friends in the Senate, Senator JEFFORDS and Senator HARKIN and others who have worked on this legislation, that we are very pleased that it is here. We are pleased that, with the gentleman from New York, we were able to get agreement on the unanimous consent. I rise in very strong support of the passage of this legislation.

Mr. Speaker, I am pleased to be here to discuss a landmark piece of legislation that will improve the lives of over four million individuals with developmental disabilities—The Reauthorization of the Developmental Disabilities Act.

The road to passing The Reauthorization of the Developmental Disabilities Act has been long and tortuous.

The Reauthorization of the Developmental Disabilities Act was passed originally by the Senate around the same time this month, last year. We had some problems moving it here in the House, but were finally successful in passing a House version in July during the 10th anniversary celebration of The Americans With Disabilities Act (ADA).

As the lead sponsor of the ADA 10 years ago, I was especially pleased to be able to

work on another important piece of disability legislation while celebrating the passage of civil rights for people with disabilities.

Today we are here to pass a joint resolution that incorporates technical changes we made here in the House and re-pass the Senate's version.

This bill originated in the Senate, and out of respect for the hard work of Senators JEFFORDS, KENNEDY and HARKIN, we would like to send the original Senate bill to the President to sign.

The DD Act has not been substantially reauthorized since 1994, and is in need of some updating. Just as our technology and science evolves every day, so do the strategies for reaching, engaging, and assisting individuals with developmental disabilities.

Individuals with developmental disabilities often have multiple, evolving, life long needs that require interaction with agencies and organizations that offer specialized assistance as well as interaction with generic services in their communities.

The DD Act seeks to provide a voice for those with developmental disabilities, those with mental retardation, autism, cerebral palsy and epilepsy, as they navigate through the complicated system of public services, policies and organizations that we currently have in place.

The DD Act seeks to provide families with the knowledge and tools they need to help individuals with developmental disabilities become integrated and included in their communities, to foster true independence of those with developmental disabilities and protect themselves from abuse and neglect.

Mr. Chairman, as we stand here today, ready to pass the final version of the Developmental Disabilities Act, I think it is appropriate to acknowledge and remind all of my colleagues of the battle that people with disabilities have fought in order to obtain basic civil rights.

It is appropriate that the House passed the first version of this bill on the 10th anniversary of the ADA, and today as we pass this final version of the Developmental Disabilities Act, the Supreme Court is hearing a case that may significantly alter the civil rights protections granted in the ADA.

Today the court is hearing oral arguments to review whether Congress had the authority to abrogate State immunity and enforce the ADA's anti-discrimination protections against State governments.

A negative ruling from the Supreme Court could call into question altogether the constitutionality of title II of the ADA, as well as other disability rights statutes.

As someone who was there during the debates on the ADA, these questions aren't hard to answer. There was a great deal of discrimination going on at the State level—people with disabilities were segregated into institutions; children were discriminated against in public school; public transportation didn't accommodate wheelchairs; and there was a history of section 504 litigation that proved discrimination was happening at the State level. The Bush administration's own national council on disability documented the discrimination in its report to Congress.